

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/RUS/32/Corr.1¹
24 February 2003

(03-1135)

**Working Party on the
Accession of the Russian Federation**

Original: English

ACCESSION OF THE RUSSIAN FEDERATION

Corrigendum

We attach replacement pages 6 and 27 of document WT/ACC/SPEC/RUS/32.

¹ In English only

Replacement page 6 (WT/ACC/SPEC/RUS/32 refers):

	export documents, which documents requiring the fees are trade-related, and if their use in importation and exportation is optional or mandatory.
Tables 10-13	<ul style="list-style-type: none"> - Tables 10-13 should be comprehensive. If they are not, additional information should be provided to make them so. - Has the legal authorization for the measures noted in the first and third “notes” to the Table listing Consular fees been eliminated?
103-104	<p><u>Russian Federation:</u></p> <p>The term “stamp tax” mentioned in the paragraphs 103-104 and Table 11 should be read “state duty”.</p>
100-110	- Fees and Charges for Services Rendered
99-100	Our delegation expresses its concern about the double standard policy pursued by the Russian Federation while collecting the consular fees from our nationals, according to which the Russian Federation accords the privileges to and exempts from payment of certain consular fees specific groups of population based on their ethnicity and places of origin and for example, our nationals from Abkhazian and South Ossetian regions are considered/treated as Russian nationals. Our delegation urges the Russian Federation to apply the uniform consular fee policy towards all our nationals and eliminate the current practice prior to its accession to the WTO.
111-116	<p>Application of Internal Taxes on Imports</p> <p>- Excise Taxes</p>
111-116	In para 115 a Member raised the issue of the calculation of excise taxes on imports on the customs value plus the total of customs duties and levies payable versus the calculation of excise taxes on domestically produced goods on the basis of the actual value only and raised the question of its national treatment implications. As it does not seem that the Russian delegation addressed this concern, we would welcome an answer.
142-150	- Customs Valuation
142-150	<p>This Section should be updated to describe how the provisions of the draft Customs Code and draft Chapter 25.1 of Part II of the Tax Code will bring Russia into conformity with WTO provisions once they are enacted.</p> <ul style="list-style-type: none"> - Please include information on what will be required concerning changes to regulations in place and issuing further regulations to fully implement the new customs valuation regime. - The draft report should also include reference to Member requests for commitments on the use of the two WCO decisions on valuation. - Please elaborate in the revised draft Working Party Report text on the need and operation of the “special technique of customs control” to prevent commercial valuation fraud. What precisely is the “special technique,” how is it applied, and does Russia intend to keep using it in future? - Please provide a list of products by HS item number currently subject to the “special technique,” e.g. flat glass. - Please include information on how Russia’s customs regime addresses the right to import merchandise under bond. - Please include information in the text on the scope for use of transaction value in related party transactions, the need to include the Interpretative Notes in Russia’s customs valuation legislation, and respond to the specific concerns noted regarding the determination customs value under transaction value, value of identical merchandise, deductive value, and the fallback method.

Replacement page 27: (WT/ACC/SPEC/RUS/32 refers):

306	<i>If measures are to be taken for safeguard reasons, they have to be in conformity with the GATS, regardless of whether it is for infant industries or other business.</i>
307	<p><i>Russia is intending to maintain its subsidies to domestic service providers, the bulk of which go to large service providers such as Rostelekom, Ingostrakh, Aeroflot, etc.</i></p> <ul style="list-style-type: none"> - <i>We seek the inclusion in this section of the draft Report of factual information on the types and levels of subsidies currently provided; Russia's intentions in respect of areas currently not receiving any subsidies; and an undertaking by Russia to phase out its system of subsidies.</i> - <i>We seek the inclusion in this section full responses to questions raised by Members.</i> <p><i>We note that a number of issues are still subject to the broader plurilateral discussions, and we reserve the right to request further changes in this section pending their outcome.</i></p>
320	<i>We assume that the measures referred to either come under prudential measures or BOP-measures and should be conform with the GATS.</i>
321-324	<i>Para 321-324 are as before and do not reflect discussions at the plurilateral on services. We therefore reiterate some of our comments.</i>
321	<i>The use of public utilities argument cannot be used for protectionist purposes or in areas where the services are of a narrow nature that cannot be defined as a general public service. Specifically on environmental services, no intention to undermine the freedom for local government, municipalities to decide whether they themselves operate or by tender open up to private actors to operate e.g., sewage treatment facilities or refuse disposal. Does not undermine government's rights to formulate and implement national environmental policies. In taking commitments in the area of public utilities it is possible to make the distinction between statutory work on behalf of and delegated by government, and commercial services in the area and we would urge the Russian delegation to look further into this matter.</i>
322	<ul style="list-style-type: none"> - <i>On culture, comparing the WP draft report and the Russian services offer, the report text seems wide open as to when and where there might be authorization requirements in place, while in the offer it seems only related to education. The working party text cannot be that general because it can imply a national treatment restriction. We would like a confirmation that where specific commitments are made, no new (Art XVI- and Art XVII-) restrictions based on cultural concerns suddenly pop up.</i> - <i>On specifically protected natural territories, we would think that the regulations to protect such territories would be the same for all, and as such are covered by the GATS (relevant articles are preamble and art VI on domestic regulation, and Art XIV (b)).</i>
	<p>Our delegation is still deeply concerned over the Russian Federation's maintenance of a discriminatory regime with regard to the supply of services on Russian services' market by our nationals residing in different regions of our country, under the modes of supply - "commercial presence" and "movement of natural persons". We urge the Russian Federation to make the necessary adjustments prior to its accession in order to avoid the discriminatory treatment and to allow all nationals of our country to provide services on the Russian market at the equal footing.</p>